

Statement by
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Introduction

Chairman Davis, Representative Waxman, distinguished members of the Committee: thank you for inviting me to address you today.

Not too long ago, we knew who our enemies were and where they lived. The terrorist attacks of September 11, 2001, the Madrid train bombing in March 2003, and, most recently, the tragic bombings in London, have introduced us to the new enemies of the 21st century. In the 21st century, in a smaller, more ambiguous, and more dangerous world, we are at war with an enemy that has no armies, navies, or air forces. It does not have countries or capitals to strike or liberate. Instead, a complex network of ideologically-driven extremists seeks to terrorize our population, undermine our international partnerships, and erode our global influence. The threat of catastrophic violence dictates a new strategic imperative: we must actively confront – when possible, early and at a safe distance – those who directly threaten us, employing all instruments of our national power.

Protecting the United States

The 2005 National Defense Strategy designates securing the United States from direct attack as our first objective. The Department of Defense (DoD) gives top priority to dissuading, deterring, and defeating those who seek to harm the United States directly, especially enemies with weapons of mass destruction. Homeland defense must be understood as an integral part of a global, active, layered defense. There is no “home game.” There is no “away game.” In addition to the National Defense Strategy, this year we also completed the Department’s first Strategy for Homeland Defense and Civil Support. By articulating strategic goals and objectives, we add coherence and direction to relevant activities across the Department that include deterring and preventing attacks,

protecting critical defense and designated civilian infrastructure, providing situational understanding, and preparing for and responding to incidents.

Air Defense of the United States

Using the Total Force concept – Active, Reserve, and Guard -- the Department of Defense is postured to deter, defend against, and defeat threats to the United States in the air, maritime, and land domains. Focusing specifically on the subject of today's hearing, the bi-national United States-Canada North American Aerospace Defense Command (NORAD) is responsible for protecting North America from air threats. The commander of US Northern Command (USNORTHCOM) is also commander of NORAD; both commands' headquarters are located in Colorado Springs, Colorado.

Since its establishment in 1958, aerospace warning and control have been the cornerstones of the NORAD mission. This mission continuity since the Cold War masks a fundamental redesign of our nation's air defenses, however. Over the last four years, we have achieved dramatic improvements in our understanding of the threat environment for the air domain. Our command and control systems have been overhauled to ensure clarity at all levels. We have worked to ensure that response assets are postured for rapid and decisive interdiction, if required. And our collaboration and coordination with interagency partners have increased significantly.

Strategic vision. Prior to 9/11, NORAD surveillance efforts were directed outward from North America, primarily focused along our country's borders in anticipation of a hostile Soviet air threat. Today, surveillance efforts now include airspace over the interior portions of North America, recognizing that threats can manifest themselves within our borders. Our broader understanding of the threat environment drives the strategic vision articulated in the Strategy for Homeland Defense and Civil Support. Our defenses cannot be passive or reactive or neatly segmented by domain. Instead, we must deploy an active defense-in-depth that cuts across all domains in which an enemy may seek to engage us.

Command and control. Carefully defined rules of engagement and a clear chain of command have been established to defeat terrorist air threats. The rules of engagement reflect the serious potential of lethal engagement with an unarmed civilian aircraft. The President has delegated to the Secretary of Defense the authority to take immediate effective action in response to a terrorist air threat. We have developed a classified conference capability with specific protocols for DoD decision-making in the event of a hostile domestic air threat. These classified conferences are monitored by U.S. Government air security organizations. We routinely exercise our command and control systems to ensure that our senior civilian and military leaders are well-trained and prepared to exercise their authority. While we anticipate this course of action will not be needed, we are ready and trained to execute in our nation's defense, if required.

Response assets. Since September 11, 2001, under Operation Noble Eagle, the men and women of the U.S. Air Force, U.S. Air Force Reserve, and the Air National Guard have secured the skies over major metropolitan areas and our nation's critical infrastructure on a daily basis. The rotating nature of this coverage denies terrorists the opportunity to pre-plan attacks based on routine schedules. We have conducted more than 41,000 sorties and have scrambled fighters or diverted air patrols towards suspected air threats on more than 1,900 occasions. The Air National Guard provides more than 90% of the daily fighter alert and irregular air patrol requirements of Operation Noble Eagle.

Under the control of three NORAD regional commands, we now have air defense alert fighters positioned throughout the United States and Canada that are capable of reaching major population centers and high value infrastructure within minutes. The number of alert fighters can be increased or decreased according to emerging threat levels. Additional details can be provided on a classified basis.

The Department of Defense also plans for the possibility of air-based threats during planned domestic events. During National Special Security Events (NSSEs) designated by the Secretary of the Department of Homeland Security, DoD routinely

provides fighter air patrols, airborne radar assets, and ground support command and control elements working on-site with our interagency partners. During the 2004 G-8 Summit, for example, DoD deployed an integrated air defense system that included fighter aircraft, airborne radar coverage, and ground-based missile point defense. The Department is now in the process of examining whether a standing deployable integrated air defense system should be developed for future NSSEs. Additionally, at the request of the Secret Service, DoD provides air coverage for Presidential and Vice Presidential movements within the United States. The Department also provided air coverage for Presidential candidates during the 2004 election.

Interagency coordination. The Department of Defense cannot conduct the air defense mission without critical support from our interagency partners and our support is fundamental to their success as well. In the last four years we have taken tremendous strides in this arena, reinforcing relationships with existing agencies, such as the Federal Aviation Administration (FAA), and forging ties with new ones, especially the Department of Homeland Security (DHS) and the Transportation Security Administration (TSA). Key areas that reflect significant progress in enhancing the effectiveness of our nation's air defenses include: shared situational awareness through intelligence and information sharing; exchange of liaison personnel at headquarters and in operations centers; and development of operational responses that reflect a common understanding of air domain threats.

Shared situational awareness. We continue to rely on the intelligence community to provide strategic warning of possible threats. The FBI also plays a crucial role in not only warning, but also after-the-fact investigations of air threats. At the same time, new institutions have been established to address areas where information or intelligence exchange was insufficient to address the dynamic nature of today's air threat environment. Specifically:

- TSA's Transportation Security Operations Center (TSOC), located in Herndon, Virginia, serves as a critical hub for the rapid exchange of information within the

federal community for air threat warnings. The TSOC also provides a vehicle for interaction with key private sector entities in the air domain.

- FAA's Domestic Events Network (DEN) provides a 24/7 open unclassified line that facilitates immediate situational awareness for all agencies, and in particular DoD, on any aircraft deviation. This system proves its value on a daily basis and often provides DoD initial data to initiate the classified conference system mentioned above.

Additional integration takes place in the form of radar feeds from the FAA that have been incorporated into the NORAD joint surveillance system. DoD has also reached an agreement with DHS to provide continued funding for long-range radars under a 75/25 percent cost-share arrangement in fiscal year 2005 and a 50/50 percent cost-share in fiscal year 2006.

Liaison arrangements. The establishment of robust liaison relationships facilitates daily operations and has significantly improved our ability to address potential air-based threats. Full-time FAA liaison personnel are located at NORAD headquarters and the Cheyenne Mountain Operations Complex in Colorado Springs, as well as at the Northeast, Southeast, and West regional air defense sectors. DoD and FAA liaisons are also stationed at the TSA-hosted National Capitol Region Coordination Center (NCRCC). Additionally, NORTHCOM and US Pacific Command have established Joint Interagency Coordination Groups (JIACGs) at their respective headquarters. The JIACGs provide immediate, resident access and expertise of key interagency partners to the combatant commanders on a range of operational issues, to include those in the air domain.

Coordinated operational responses. Operational responses throughout the interagency community now reflect a common understanding of the full range of threats in our domestic airspace. Pre-existing and new memoranda of understanding provide for a coordinated interagency response to aircraft hijackings and intercept procedures. The FAA has also issued a formal regulation for civilian and military air traffic controllers to address suspicious aircraft and pilot activities. Hijacking responses are exercised on a

monthly basis with partners in other agencies. Operational responses are also tested routinely in the course of real world events that occur in the air domain on an all-too-frequent basis. For example, DoD air defense assets, along with DHS air assets, provide important pilot intent information when aircraft infringe on restricted airspace in the National Capitol Region (NCR). These efforts are crucial to determining whether a “track of interest” is declared hostile, triggering additional response operations.

DoD Role in Airspace Defense of the National Capital Region.

Airspace defense of the National Capital Region (NCR) represents a particularly complex challenge that is both inter-departmental, bringing together multiple federal partners, as well as inter-governmental, involving authorities at the Federal, State, and local levels. The vast majority of security measures required for defending the airspace over the nation’s capital are conducted on the ground prior to an aircraft taking off. These security measures are led by our interagency partners to ensure that aircraft crewmembers and passengers are thoroughly vetted and screened so as not to pose an air threat within the NCR. As my colleagues on the panel will cover those measures in greater detail, I will focus instead on DoD’s particular role in air defense against airborne threats to the NCR.

DoD conducts the military mission of air defense of the NCR against hostile or potentially hostile air threats. These efforts include identification of a potential threat, interception of the threat, and, if necessary, engagement of the threat. In order to conduct the NCR air defense mission, the Department provides the following key assets:

- Irregular air patrols, usually in addition to ground-alert fighters stationed at Andrews Air Force Base.
- A dedicated 24/7 alert fighter response based at Andrews Air Force Base, Maryland. These aircraft are capable of launching in minutes to provide intercept, escort, or engagement activities, as needed.

- A dedicated ground missile defense system located within the NCR. This system provides around the clock coverage for critical protected sites. The system is considered a last resort to prevent any hostile air attack.
- Earlier this year, the Department deployed the Visual Warning System (VWS) to warn wayward pilots to immediately contact FAA air traffic controllers and to depart from restricted airspace. The VWS is an eye-safe laser system that can be used day or night. The system is fully operational at several sites, with additional sites to be added in the future.
- DoD liaison officers serve at the NCRCC, hosted by TSA, on a full-time basis.
- As mentioned above, DoD has developed a classified conference capability with protocols for DoD decision-making for a hostile domestic air threat. The Department has provided access to the conference system to key interagency operations centers and the NCRCC to facilitate coordination and maintain situational awareness for agencies with NCR security responsibilities. Further details can be provided in a closed hearing or upon request.

DoD-FAA Cooperation. The relationship between DoD and the FAA merits additional discussion because of the time-sensitive nature of air threats in the NCR. We rely on FAA radar feeds for the military radar picture over the NCR. Due to the constant interaction that FAA radar controllers have with commercial and civil aviation, the FAA is usually the first agency to note a potentially hostile pilot deviation. When DoD does initiate response measures, FAA radar controllers facilitate DoD fighter intercepts by clearing the airspace of other air traffic and expediting clearances to military aircraft to allow rapid changes in direction and altitude.

Several specific changes implemented by the FAA have greatly improved air security and air defense response efforts in the NCR and are worthy of mention:

- Provision of FAA's radar feed from the Potomac Radar facility to the NCRCC so that DoD and other interagency partners can quickly correlate "tracks of interest" occurring on DoD and FAA radars. Had this system been available the incident

involving Governor Fletcher's aircraft in June 2004 likely would not have occurred.

- Routine FAA assistance in facilitating air exercises to keep DoD fighters, ground missile units, and command and control mechanisms operationally ready is essential to the NCR mission. The FAA's recent effort to assist in the deployment of the Visual Warning System is also particularly noteworthy.

DoD-DHS Cooperation. Turning specifically to the NCR airspace effort and our relationships with various DHS agencies, I would like to highlight several areas of cooperation:

- TSA's hosting of the NCRCC has provided a central location to share a common operational picture among all relevant agencies. DoD has a continual presence at the NCRCC. TSA representatives provide critical information on "track of interest" intent in terms of passenger lists, aircraft ownership, and waiver authorization to fly within restricted airspace.
- Coordination efforts by TSA with DoD on the proposed plan to re-open Reagan National Airport to general aviation. We appreciate recognition of DoD's air defense requirements as the plan is developed.
- Customs and Border Patrol's Air Marine Operations provide helicopter and Citation jets for air intercepts in the NCR to help determine pilot intent for low-slow aircraft. Their efforts were essential in preventing poor piloting from becoming a deadly tragedy during recent NCR air incursions.
- DoD and FAA radar information often provides key information for other agencies to implement ground security response measures within the NCR.

Finally, DoD and DHS staffs are working to complete a memorandum of agreement to refine air intercept procedures within the NCR in order to improve command and control and response roles between our two agencies. These efforts will be

further developed and implemented at the operational level between appropriate agencies. Further details can be provided in a closed hearing setting.

Conclusion

Mr. Chairman, I commend you and the members of the House Committee on Government Reform for your interest in, and support of, the Department's homeland defense mission, with a particular focus today on the air domain. Since September 11, 2001, the Department of Defense has made great strides toward improving the defense of United States airspace. Our ability to detect, track, interdict, and ultimately defeat air threats has advanced substantially. With our interagency partners, we continue to improve our ability to make Americans safer at home through a better understanding of the nature of the threat environment, enhanced command and control, additional ready response assets, and improved interagency coordination. I can assure you that the competent, fully-trained professionals who are responsible for the airspace defense of the United States are fully prepared to meet the air challenges that we face today.